

SPECIAL EDUCATION REPORT TO THE BOARD OF PUBLIC EDUCATION

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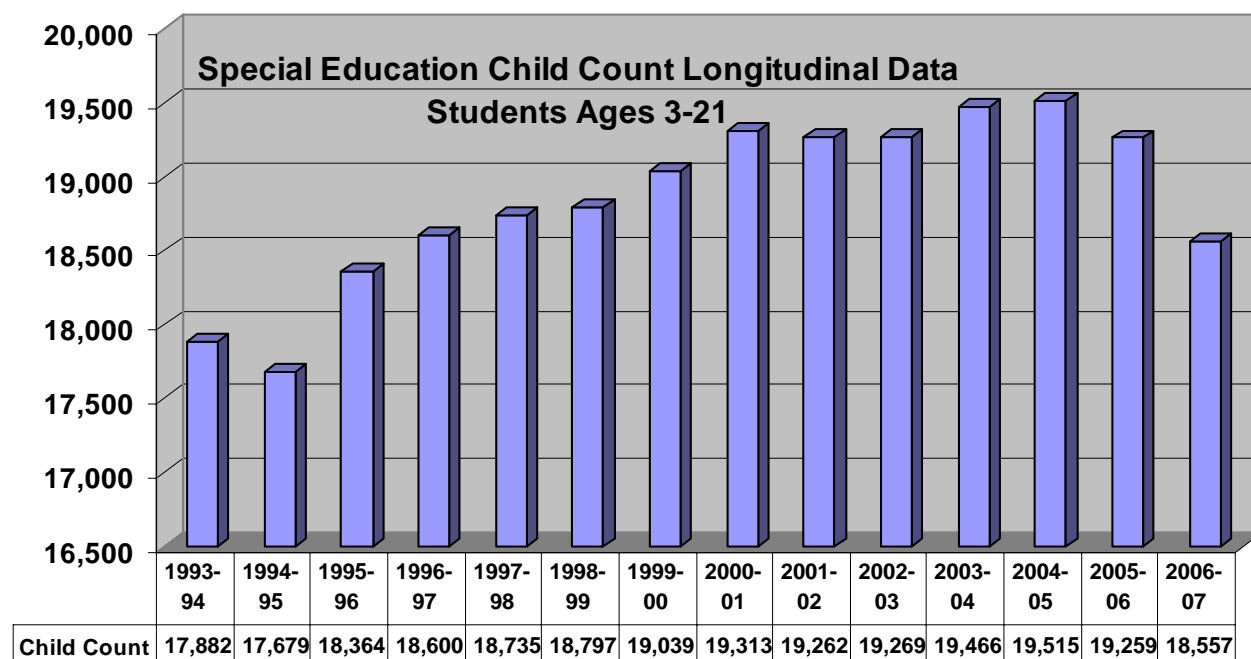
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Part 1- Students Served

Special Education Child Count and Student Enrollment

Public schools must make available special education and related services to all IDEA-eligible (Individuals with Disabilities Education Act) students with disabilities beginning at age three and through age 18. Services to students, ages 19, 20, and 21, are permissive. That is, the decision to serve 19, 20 and 21-year-old students is determined by the policies of the school district board of trustees [20-5-101(3), Montana Code Annotated (MCA), and Administrative Rules of Montana (ARM) 10.16.3122].

Students with disabilities receive a wide range of services, including individualized instruction, assistive technology, and related services such as speech-language therapy, occupational therapy, physical therapy and/or transition services. Both the type and the extent of services a student receives are individually determined based on the educational needs of the student.



This is a count of students with disabilities who have a valid Individualized Education Program (IEP) in accordance with IDEA and are receiving services indicated on the IEP on the first school day in December. The count includes students who are enrolled in public schools, publicly funded schools, residential treatment facilities that contract with the OPI to provide services to their students who are Montana residents, and students who are in private or home schools and are receiving services from a public school in accordance with a Services Plan.

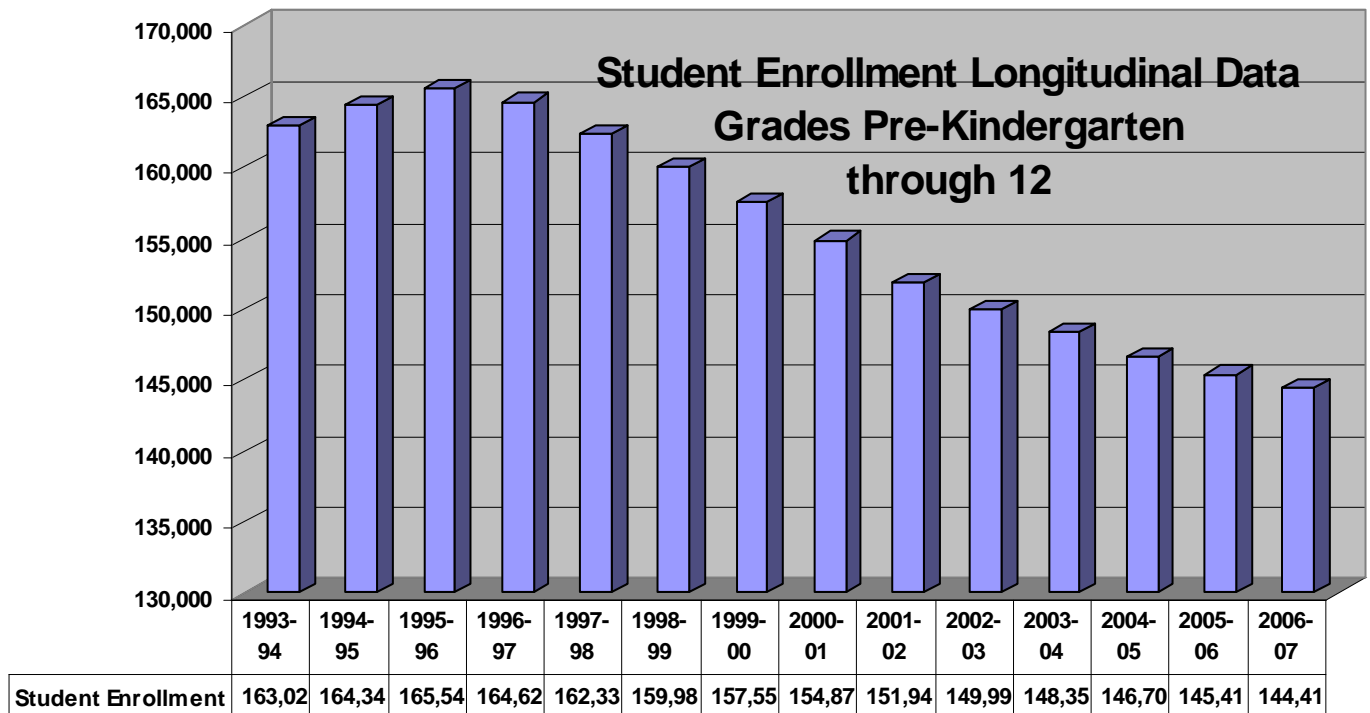
Source: Child Count Data Files ([OpinIntprd3/Access/Division/Special Education/Child Count/ChildCount91-01](#) and [Access/Division/SpecialEducation/SQLCC/tblcc Child Count 2002-2007](#))

Analysis of the December 1, 2006, Child Count data (term used for the collection of student special education data) shows there was a decrease of 702 students from the previous year with the most significant decreases occurring in the speech-language impairment and learning disabilities categories. Thirty-five percent of the decrease occurred in grades K-3. Districts reported the following reasons for the decrease: implementation of interventions in general education resulting in fewer referrals to special education; student progress reviews that identified students no longer in need of special education instruction and so exited from special education services; and decreases in student enrollment. Analysis of the data also showed a significant decrease in the count of students reported in the disability category of emotional disturbance. Factors affecting the decrease include implementation of positive behavioral supports in general education and the positive effects of the implementation of over 100 Comprehensive School and Community Treatment Services (CSCT) programs in schools across the state. Students are not required to be eligible for special education services to receive CSCT services.

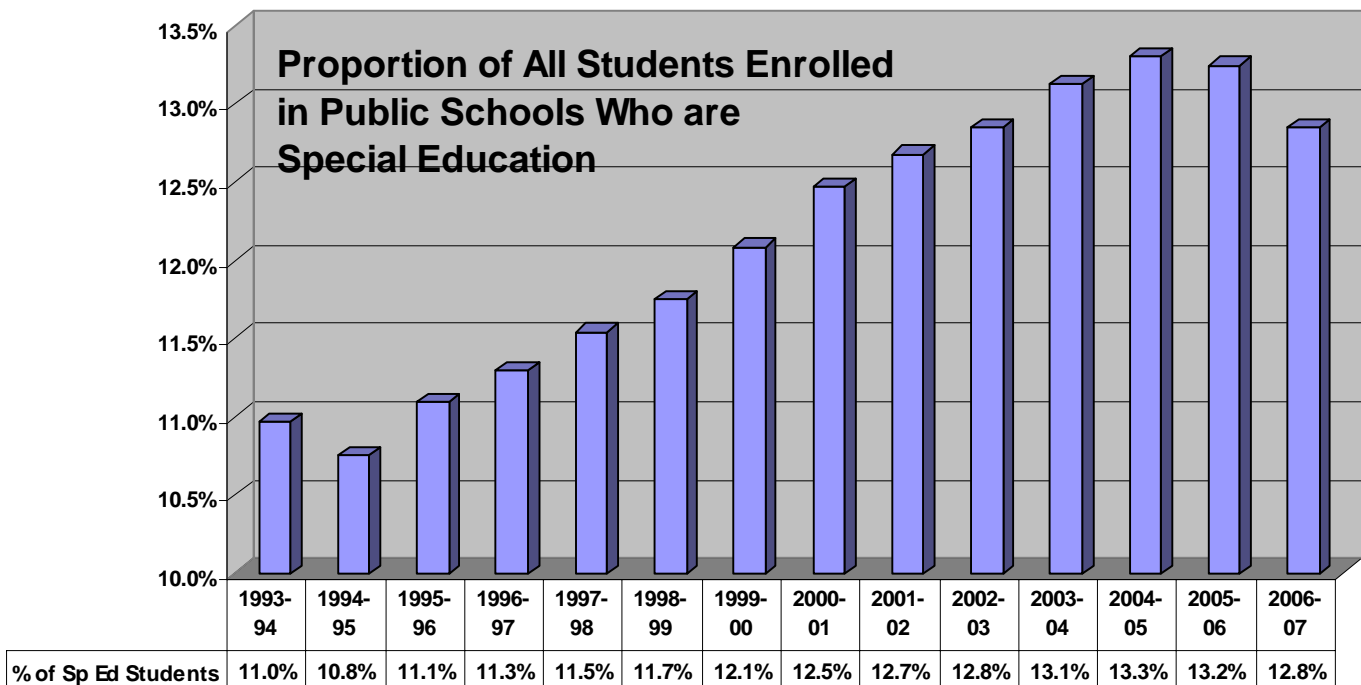
The disability category showing the most significant increase (9.09%) is Autism. This is reflective of what is occurring nationwide. Factors affecting this are the increase in numbers of students previously identified as having Autism and moving into Montana, as well as an increase in knowledge of how to more effectively identify children who meet the criteria for Autism.

Montana's Child Count (term used for the collection of student special education data) grew steadily from 1996 through 2001. From 2001 to present, the count has leveled off.

In contrast, Montana's public school enrollment has shown a steady decline since 1996. Because of declining enrollment at the same time special education Child Count has either grown, or in recent years remained steady, the proportion of students served by special education has increased.

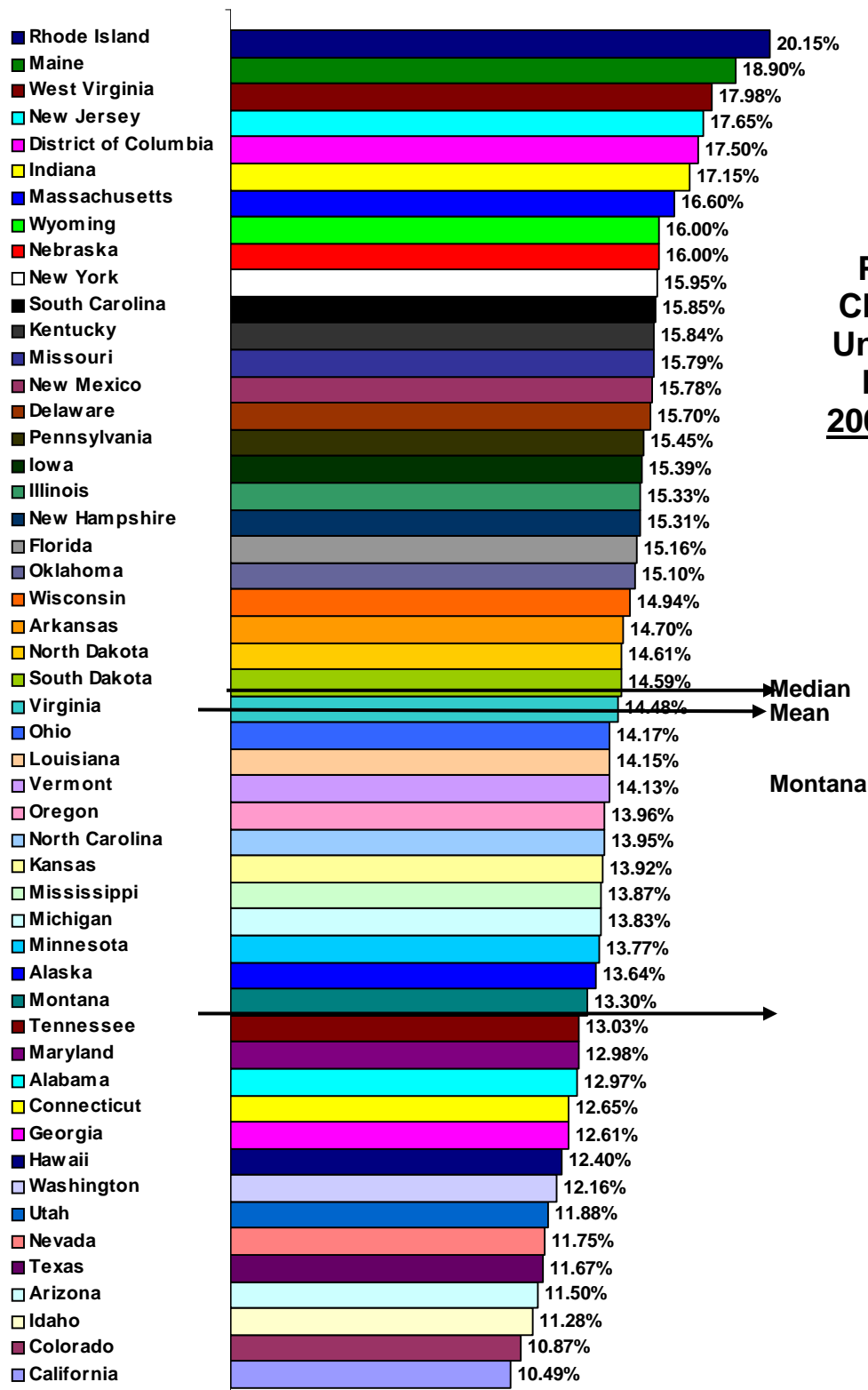


Source: [Montana Public School Enrollment Data](#), (Published yearly by the OPI)



NOTE: Percentage is calculated by dividing the special education student count for the year by the total student enrollment for the same year.

Montana ranks below the mean in the percentage of students served under IDEA according to the Office of Special Education Programs, U.S. Department of Education.



National Enrollment Prevalence of Children Served Under IDEA, Part B, During the 2004-2005 School Year.

Mean is the average enrollment prevalence rate (14.49%).

Median is the middle point of the chart.

Source: U.S. Office of Special Education Programs (IDEAdata.org) Other Data Products/Part B Trend Data Files/Table B1, Number and Percent of Population Served (Ages 3-21), by State: 1977 through 2005.

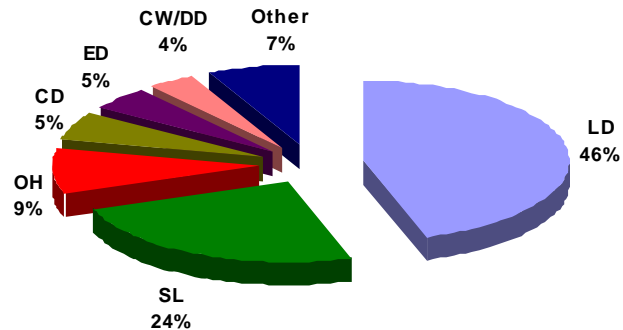
Student Identification by Disability

The categories of Learning Disability and Speech-Language Impairment represent almost three-quarters of all students receiving special education services (LD=46%; SL=24%). The number of students identified under the categories of Learning Disability and Speech-Language Impairment decreased by 471 and 278 respectively. This decrease is the result of several large districts in Montana implementing general education interventions, including scientifically based reading programs, that reduced the number of students referred for special education.

A U.S. Department of Education, Office of Special Education Programs, policy letter issued in the early 1990s and subsequent federal regulations finalized in March of 1999 listing attention deficit disorder/attention deficit hyperactivity disorder in the definition for Other Health Impairment (OH) have resulted in a dramatic increase in this disability category. The number of students in Montana identified as OH grew from 177 students reported in FY '90 to 1,695 students reported in FY '07.

The number of students identified as having Autism (AU) has also increased substantially over the last 10 years. While Autism is considered a low-incidence disability category, the cost to address the needs of a child with Autism is high. In the first year that students were reported under Autism in Montana (FY '92), two students were reported. Subsequent years have seen steady increase with the most recent count (FY '07) at 372 students reported.

Disabilities by Percentage of Total Number of Students with Disabilities – 2006-2007 School Year



DISABILITY ABBREVIATIONS and Student Count for the 2006-07 School Year

LD	Learning Disability - 8,375
SL	Speech-Language Impairment - 4,534
OH	Other Health Impairment - 1,695
CD	Cognitive Delay - 1,014
ED	Emotional Disturbance - 949
CW/DD	Child with Disabilities/Developmental Delay - 651
Other	Total - 1,339
MD	Multiple Disabilities - 579
AU	Autism - 372
HI	Hearing Impairment - 145
OI	Orthopedic Impairment - 70
TB	Traumatic Brain Injury - 69
VI	Visual Impairment - 65
DE	Deafness - 37
DB	Deaf-Blindness - 2

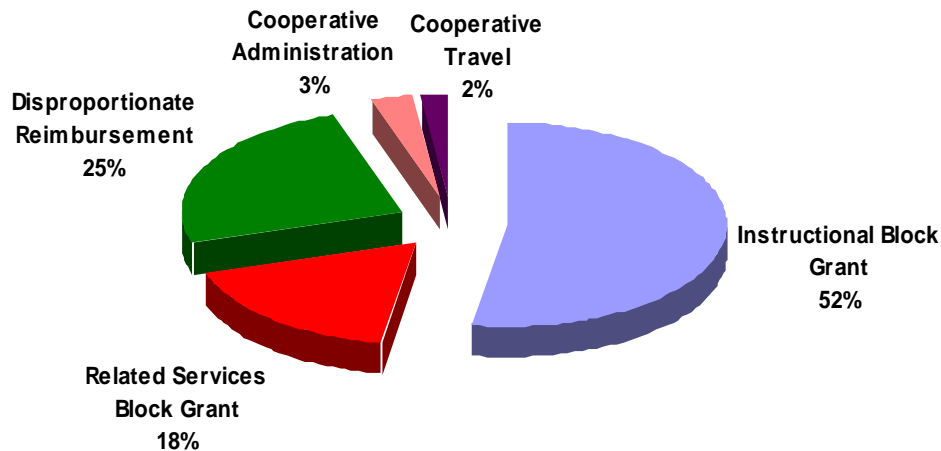
Source: Special Education Child Count conducted on December 1, 2006
 Opihlntprd3\Access\Division\SpecialEducation\SQLCC\tblcc Child Count 2007.

The Montana Administrative Rule that defines the criteria for Child with Disabilities (CW) was revised and renamed to fit the federal criteria for Developmental Delay (DD) and implemented on October 28, 2005. Any student, age 3 through 5, identified with a developmental delay after that date, must be reported under DD. Students previously identified under CW will continue to be reported under that category until they age out (turn 6 years old) or are identified under another disability category by the Child Study Team. Both disability categories (CW and DD) will be combined for reporting purposes.

Part 2 - Funding

State Special Education Appropriation for 2006-2007 School Year

Montana's special education funding structure distributes state appropriations in accordance with 20-9-321, MCA, based on a combination of school enrollment (not special education child count) and expenditures. Seventy percent of the appropriation is distributed through block grants (instructional block grants and related services block grants), which are based on enrollment. Twenty-five percent is distributed through reimbursement for disproportionate costs, which is based on expenditures. The remaining 5 percent is distributed to special education cooperatives to cover costs related to travel and administration. For FY '07, the Montana Legislature had increased the state special education appropriation by approximately \$1 million. The following represents the breakouts for FY '07.



State Entitlement for 2006-2007 School Year

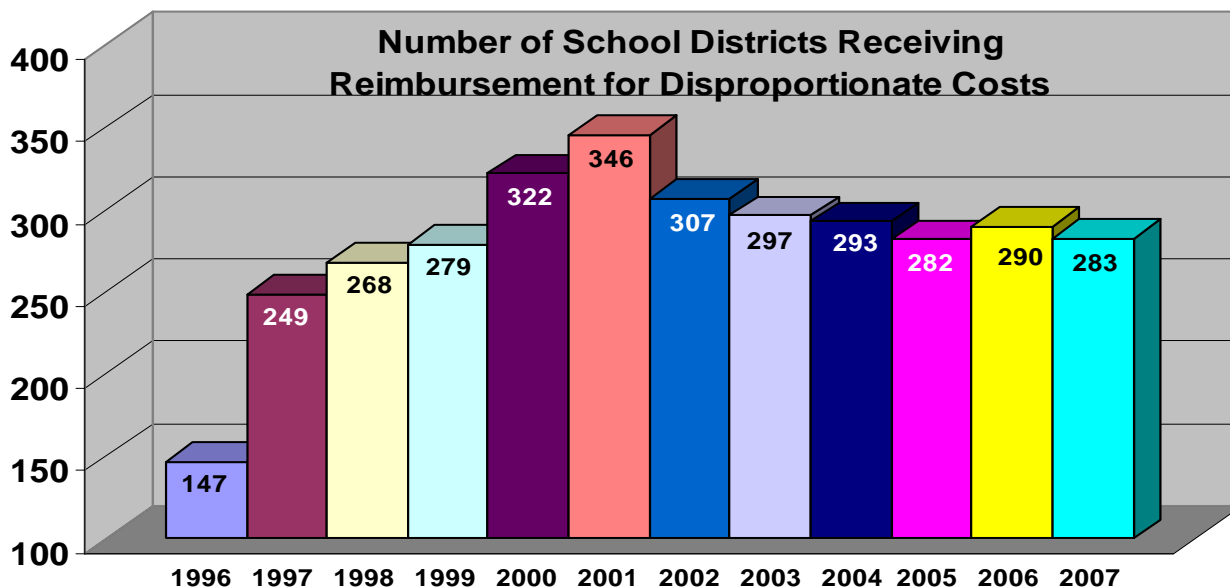
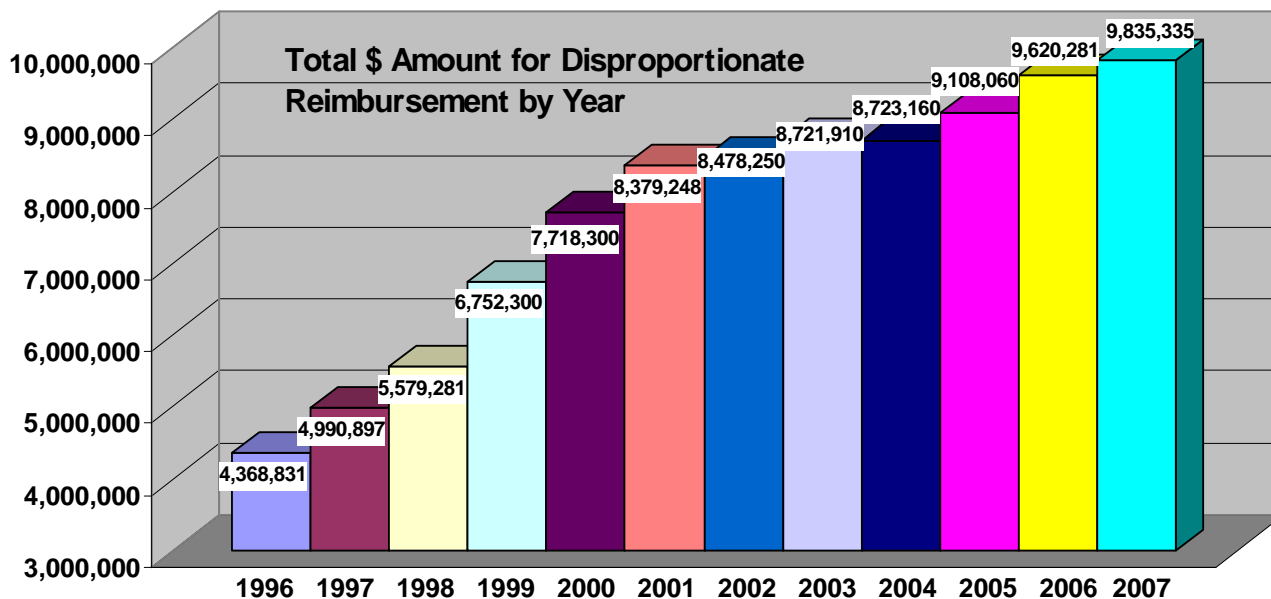
Instructional Block Grant	\$20,664,594
Related Services Block Grant	\$6,887,717
Disproportionate Reimbursement	\$9,835,335
Cooperative Administration	\$1,180,240
Cooperative Travel	\$786,827
TOTAL	\$39,354,713

NOTE: The total payment to schools is less than the total appropriation. A small amount of the appropriation is withheld to compensate for adjustments to ANB.

Source: Special Education Summary FY2006-07 (prd\MAEFAIRS\MAEFAIRS.ade, rptSpecialEducationSummary, dated 7/27/2006)

Growth in Reimbursement of Disproportionate Costs

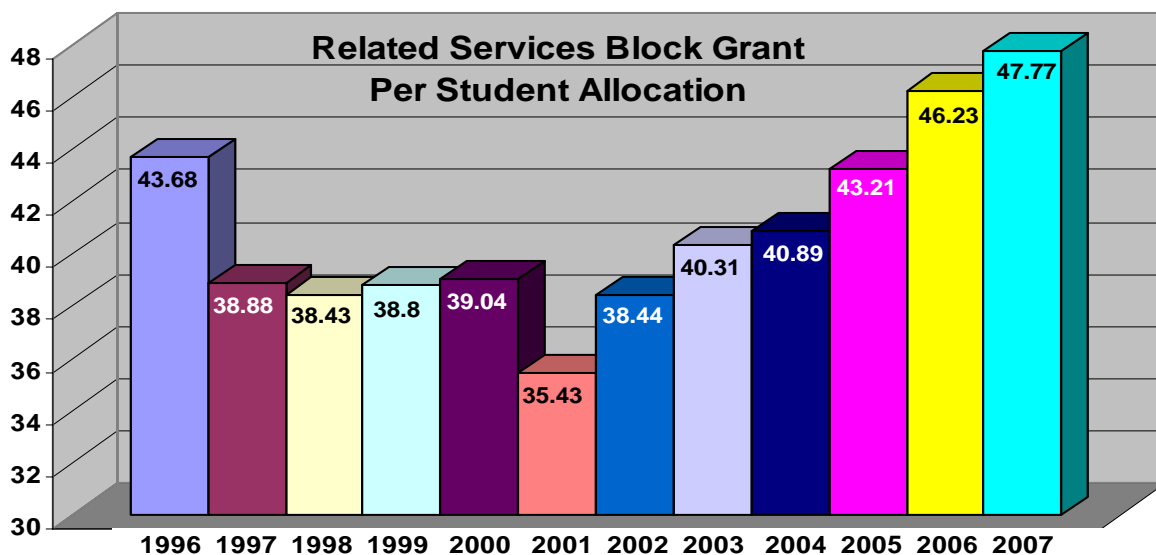
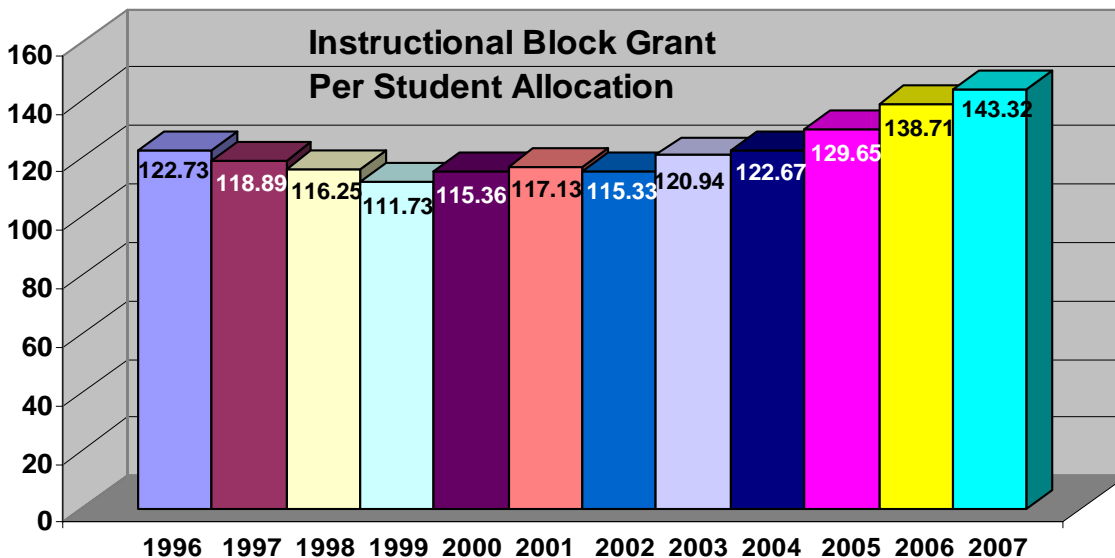
The proportion of the total state appropriation distributed in the form of reimbursement for disproportionate costs grew both in total dollars and in the number of districts receiving reimbursement for disproportionate costs through FY '01. The funding for disproportionate reimbursement was revised in FY '02 to fix the proportion of funds distributed under reimbursement for disproportionate costs and shift funding back to instructional and related services block grants. Today, any increase in funds distributed for purposes of reimbursement of disproportionate costs is due to an increase in overall appropriations for special education.



Source: Special Education Summary FY2006-07 (prd\MAEFAIRS\MAEFAIRS.ade, rptSpecialEducationSummary, dated 7/27/2006)

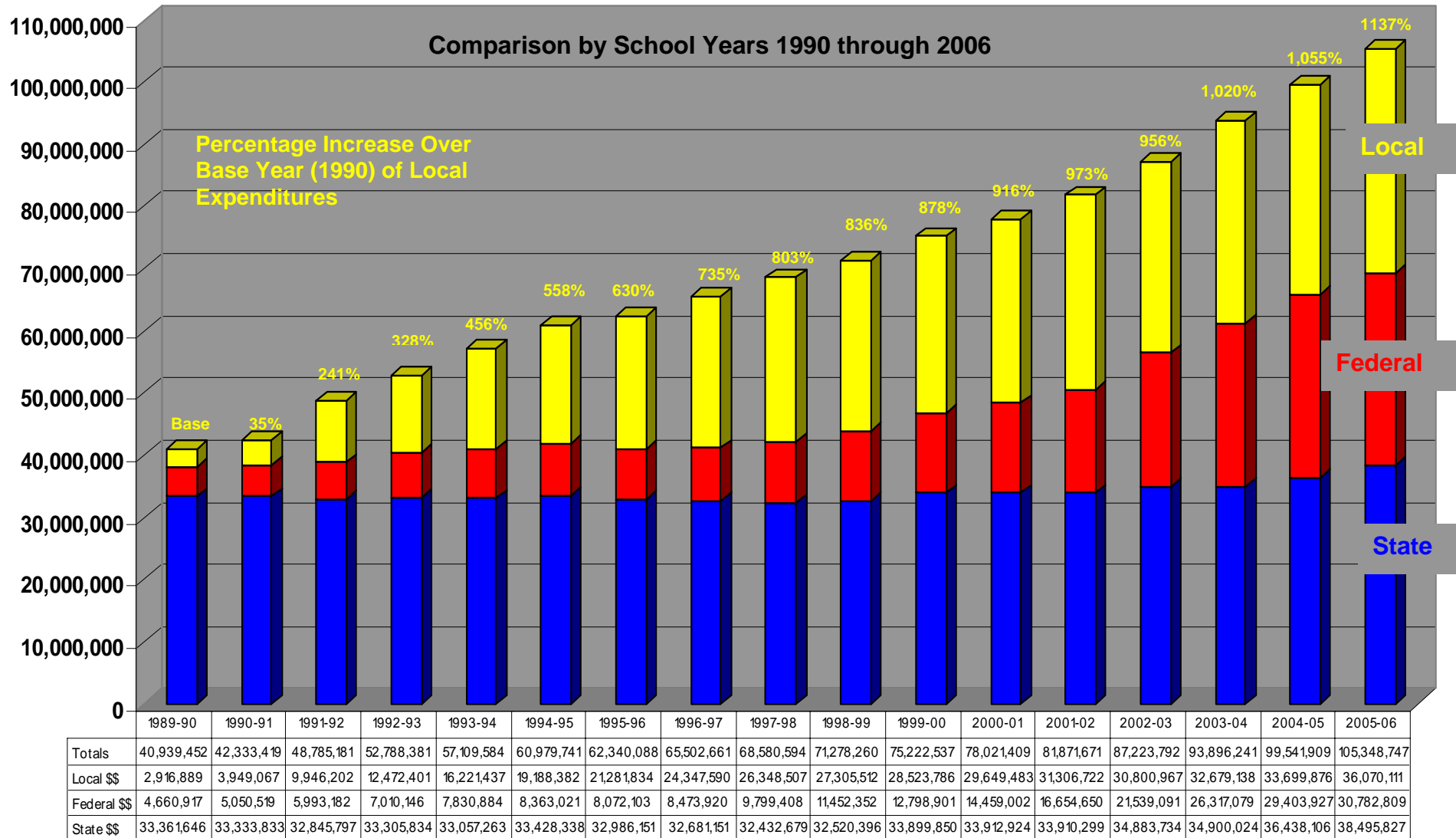
Instructional Block Grants and Related Services Block Grants

With the 25 percent limit on the proportion of funds distributed in the form of reimbursement for disproportionate costs, the block grant rates (per student expenditure) are no longer declining and are instead increasing along with increases in state appropriations. This will benefit both schools and special education cooperatives. State special education cooperatives are significantly affected since they are not eligible for reimbursement for disproportionate costs and the related services block grant is the primary source of funding. This shift is supporting the structure of the funding model's emphasis on block grant distribution of funds.



Source: Special Education Summary FY2006-07 (prd\MAEFAIRS\MAEFAIRS.ade, rptSpecialEducationSummary, dated 7/27/2006)

Expenditures of State, Federal, and Local Funds Comparison by Year



NOTE: This table may differ from previously released versions. Amounts are changed to reflect adjustments to trustees' financial summaries submitted by school districts.

Source: State - Special education payment amount provided by OPI accounting, which does not include reversion; Federal - Expenditures provided by OPI accounting (SABHRS year-end report); Local - Expenditures from board of trustees' financial summaries for special education allowable costs are reduced by the state payment amount to come up with the local amount.

Federal

The growth in expenditures for special education has become an issue of national significance. On a national level, attention has been focused on the proportion of federal support for special education. The most recent information (November 2005) we have on the federal share of special education costs (national average) is 18.6 percent of the national average per pupil expenditure (Senate Democratic Appropriations Committee). Although this is a greater proportion of the national average per pupil expenditure than in the past, the proportion remains less than one-half the 40 percent level promised by Congress when the special education laws were first passed in the mid 1970s. If Congress were to fund special education at 40 percent of the national average per pupil expenditure, the level of funding would cover between 50 and 60 percent of Montana's special education allowable costs. This is due to relatively lower costs for special education in Montana, and the way the national average per pupil expenditure is calculated.

In Montana, approximately \$105.3 million were spent on special education in FY '06. This is a significant increase from FY '90 when approximately \$41 million of state, federal and local funds were spent on special education. Much of this increase can be attributed to inflation and an increase in the number of students served by special education. In FY '06, approximately \$30.8 million of the \$105.3 million Montana spent on special education came from federal revenue sources (approximately 31 percent).

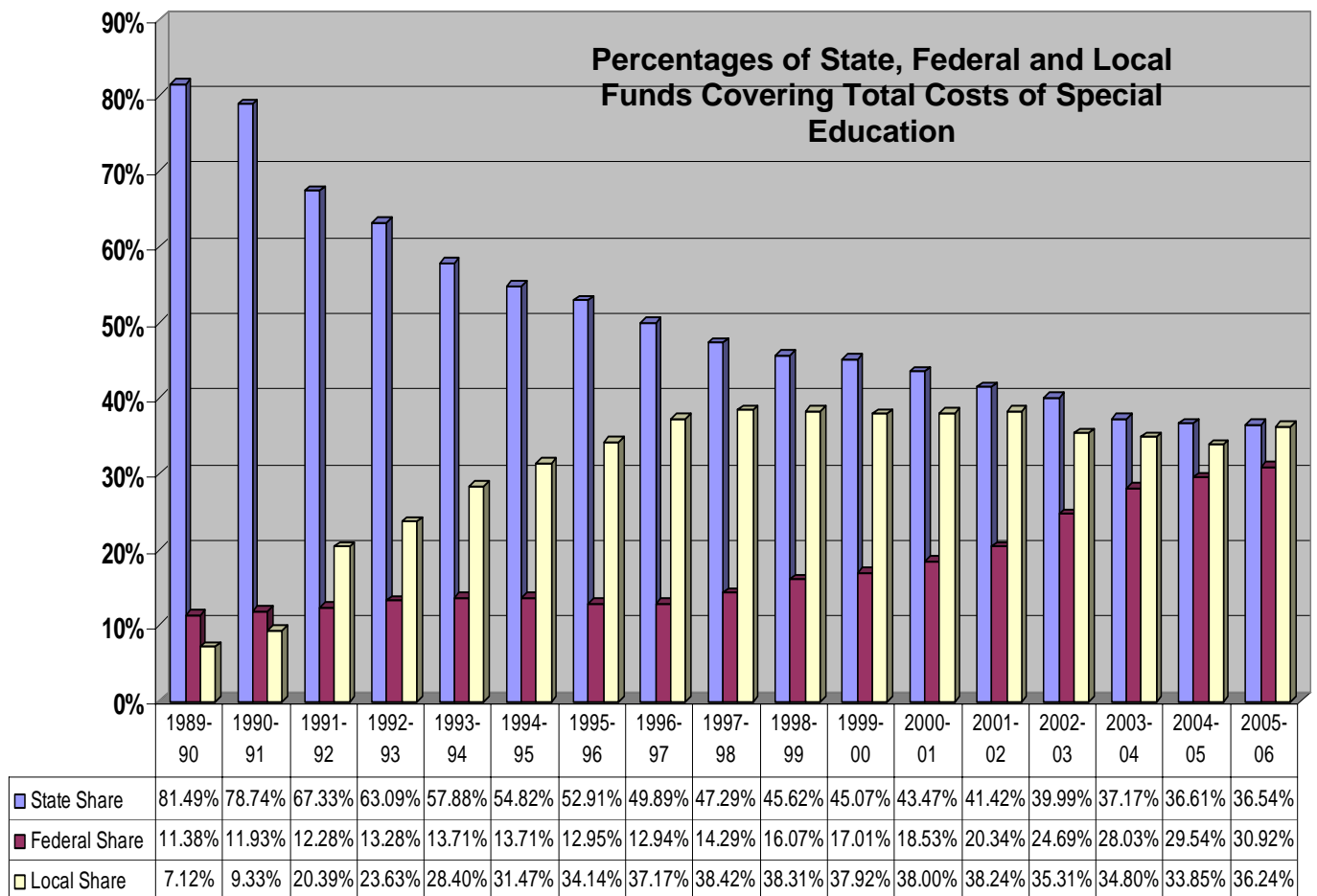
State

State appropriations for special education have fallen far short of the growth in costs. During a period of increased costs, coupled with flat state funding throughout the 1990s, the state share of the total costs of special education has slipped from approximately 81.5 percent in FY '90 to approximately 37 percent in FY '06.

Local

The greatest share of funding for increased costs of special education has come from the local general fund budgets. Local school districts have absorbed the increase in costs of special education by increasing their contribution from approximately \$3 million in FY '90 to approximately \$36 million for FY '06. This represents an increase of over 1,100 percent in local district contribution for special education. In FY '03, for the first time since FY '90, the local expenditures for special education funding decreased. This likely occurred because state funding increased slightly (3 percent) and federal funding increased by 29 percent. However, in FY '04, state funding leveled off and local expenditures again saw an increase. In FY '05 and FY '06, state funding increased; however, local expenditures also increased with FY '06 seeing an increase of 7 percent.

For purposes of this discussion, "local funds" means special education expenditures from the district general fund that are above the amount specifically earmarked for special education. The revenue source for these "local funds" includes both state base aid and local revenues. These "local funds" are generally perceived as local because they are drawn out of the general fund budget and would have otherwise been available for general education. This shift in the allocation of local funds has been a serious concern for schools and parents and has, for a number of years, created an atmosphere of competition for dollars.

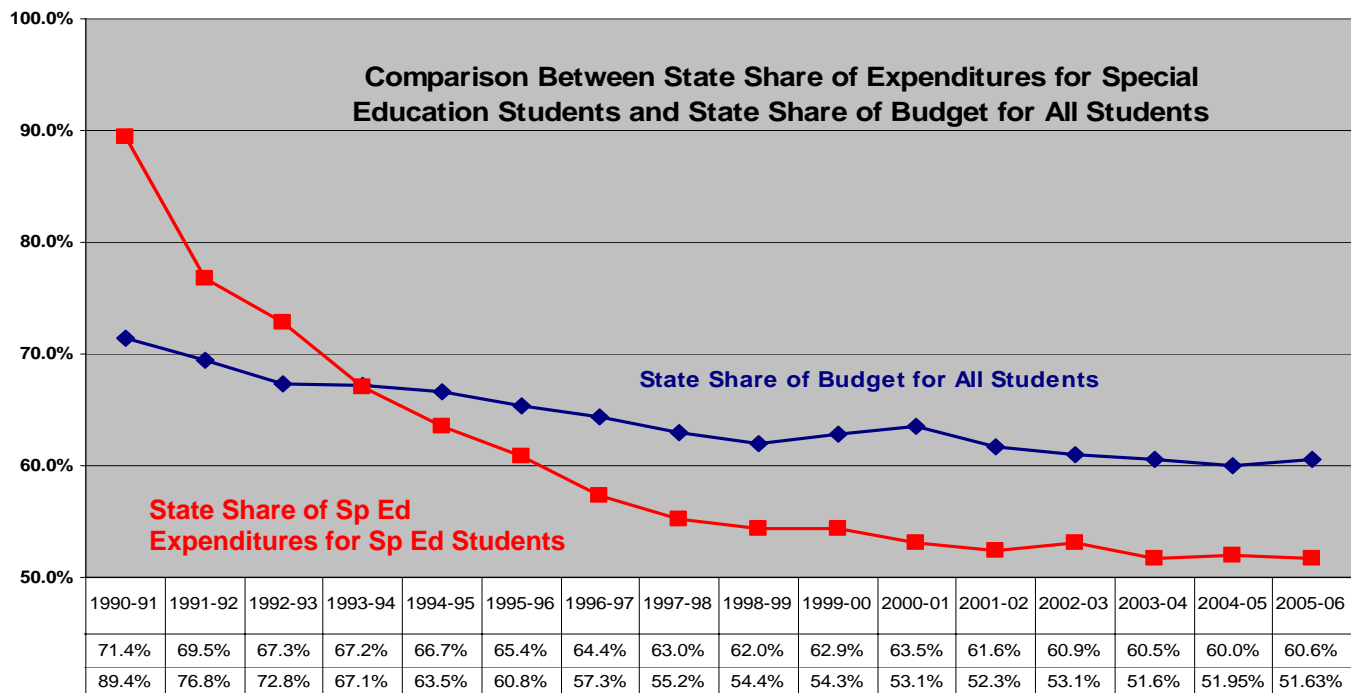


Over the years, the relative proportion of state, federal, and "local" funds covering the costs of special education has changed dramatically. State funding has remained relatively constant. Since FY '90, local districts have provided sizable increases in their contributions from "local funds." Beginning in FY 2000, federal funds have also increased substantially. As a result, by FY '06 the proportion of special education expenditures from state, federal and "local" funds is nearly equal.

The General Fund

Another way to consider the impact of state funding of special education is to compare the percentage of state support for the school district general fund budget with the percentage of special education expenditures from earmarked state special education funds.

The percentage of special education expenditures in the general fund, coming from earmarked funds for special education, has slipped from approximately 89 percent in FY '91 to approximately 52 percent in FY '06. In the meantime, the state support of the general fund budget for all students has slipped from approximately 71 percent in FY '91 to approximately 61 percent in FY '06. At one time, the state share of special education general fund expenditures was 18 percent higher than the state share of the general fund budget for general education. By FY '06, the state share of special education expenditures was 9 percent lower than the state share of the general fund budget for general education.



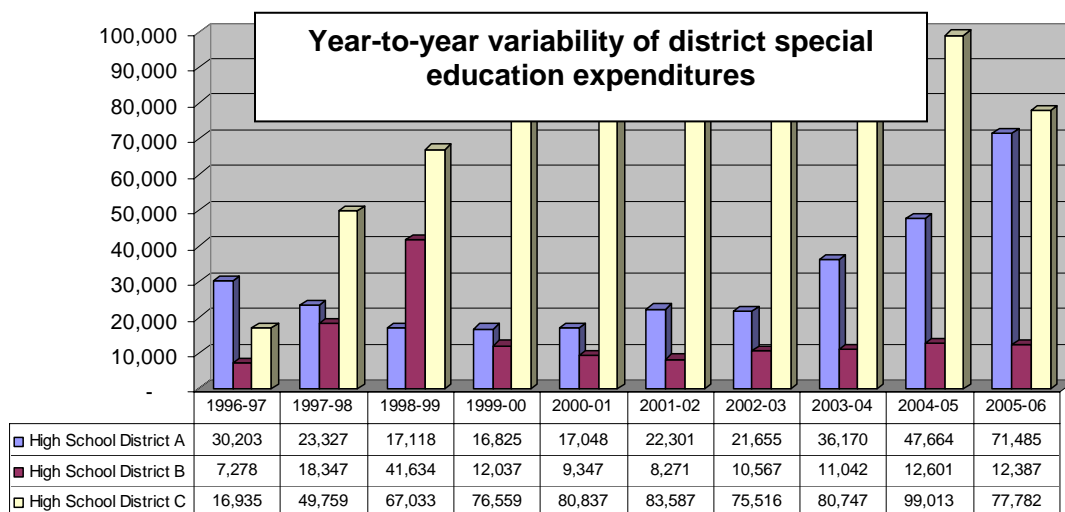
This chart is provided for the purpose of illustration. The comparison is between special education expenditures for special education students and general fund budgets for all students.

The portion of the budget for all students that is not state share is comprised of local revenues (property taxes, non-levy revenues, and reappropriated monies). The portion of the expenditures for special education students refers only to earmarked state appropriations.

Per Student Expenditure Comparisons at the District Level

The need for public school districts to redirect "local funds" to cover the cost of special education presents a significant challenge to districts. However, another dimension of the challenge public schools face when they budget for special education is the relatively unpredictable nature of special education costs, particularly for small districts.

Significant variation in special education expenditures exists between districts of similar size. Furthermore, significant variation in special education expenditures exists from year-to-year within the same district. The reasons for this variability are many. Differences in salary for personnel, proportion of students identified as eligible for special education, concentrations of group homes in a community, and the costs of serving students with significant educational needs who enroll and later disenroll are some of the primary factors contributing to the variability.



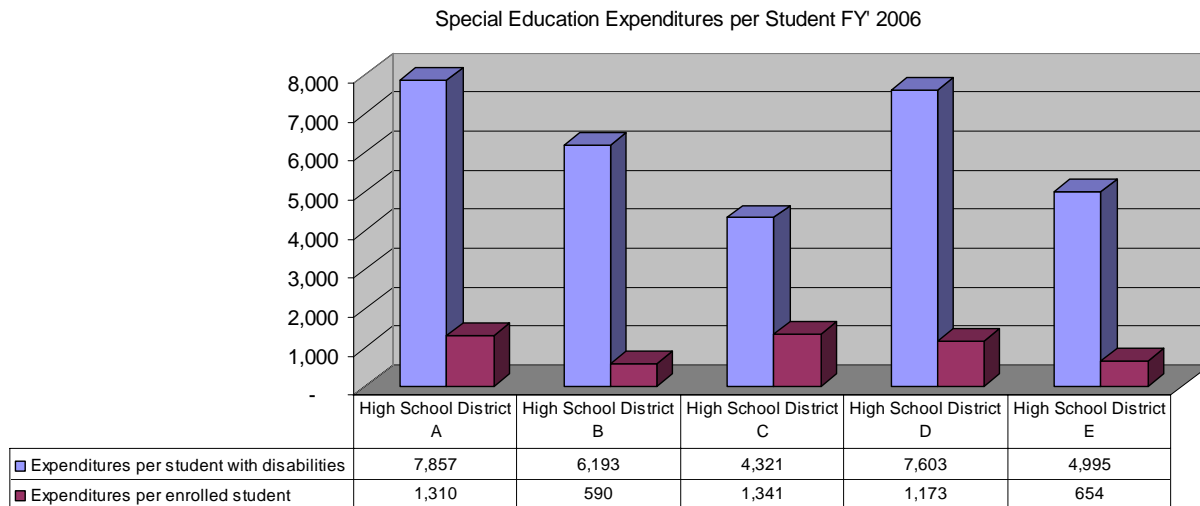
Source: ("Opin\ntprd3\access\Division\School Budgeting and Accounting\Maefairs", QryPRDexpenditures dated 1/16/07)
This graph represents federal and non-federal SPED expenditures excluding tuition payments for district residents placed in another district, Miscellaneous Program Fund, Impact Aid Fund, and Major Capital Outlay.

The three high school districts were selected for only purposes of illustration, but are good examples of year-to-year variability in expenditures that some districts face when they try to budget for special education. FY '06 enrollment in the three districts were all below 60 students.

House Bill 2 includes language that allows the Office of Public Instruction to distribute funds from the appropriation for in-state treatment to public school districts for the purpose of providing for educational costs of children with significant behavioral or physical needs. This fund can help to mitigate some of the cost variability. However, in FY '07 the OPI received approximately \$2.5 million in requests for approximately \$.5 million in available funds.

In addition to year-to-year variability, significant differences exist between public school districts in the amount they spend on a per student basis. Variations between districts

in expenditures on a per special education student basis is often caused by differences between districts in the number of students with significant needs, differences in salary due to level of education and experience of staff, and differences in programs and service delivery models.



Source: ("Opnlntprd3\access\Division\School Budgeting and Accounting\Maefairs", QryPRDexpenditures, QryPRDenrollment dated 1/16/07)

This graph represents federal and non-federal SPED expenditures excluding tuition payments for district residents placed in another district per Special Education Enrolled Student and Per Enrolled Student, Miscellaneous Program Fund, Impact Aid Fund, and Major Capital Outlay.

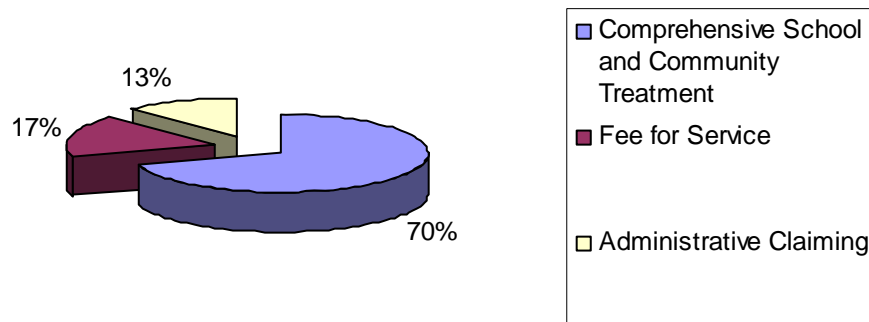
The first three districts are the same districts used as an example of the variability in special education expenditures from year-to-year. Districts D and E are large districts with enrollments in excess of 3,500 students. The above districts were selected for purposes of illustration of the variability between districts and are not typical. However, the selected districts serve as a good example of the difference between districts in their special education expenditures per special education student and the difference between districts in their special education expenditures per enrolled student. For example, in FY '06 District A spent approximately \$3,500 more than District C per special education student. On a per enrolled student basis, District C spent approximately \$750 more than District B.

Medicaid

The Office of Public Instruction (OPI) and the Health Resources Division of the Department of Public Health and Human Services (DPHHS) have collaborated on a number of projects that have increased reimbursement to districts for certain special education costs. Additionally, the collaboration has led to an expansion in school-based Mental Health Services. The collaborative efforts were intended to expand Medicaid support of certain medical services provided by schools (e.g., school psychology, transportation, personal care attendants), establish a program for administrative claiming, and reinstate a school-based mental health program known as Comprehensive School and Community Treatment (CSCT).

Revenue to school districts has increased markedly as a result of the multiagency collaborative. Districts only receive the federal share of the Medicaid payment. A certification of match process is used to pay the state share of the Medicaid payment. Therefore, all increases in revenue to districts have come without any increase in cost to the state's general fund.

FY '06 Medicaid Payments to Schools



Source: DPHHS, Health Resources Division

There are three programs that provide Medicaid reimbursement to districts: 1) Fee-for-service provides reimbursement for special education related services such as speech therapy, occupational therapy, and physical therapy (FY '06 payments to districts totaled \$1,951,279.85); 2) Administrative claiming compensates school districts for some of the costs associated with administration of school-based health services such as helping to identify and assist families in accessing Medicaid Services and seeking appropriate providers and care (FY '06 payments to districts totaled \$1,450,510); and 3) CSCT services (FY '06 payments to districts totaled \$8,159,292). (Source for data on payments: DPHHS, Health Resources Division)

While fee-for-service and administrative claiming generally provided reimbursement for services already being provided by districts, the CSCT program was an expansion of services. The expansion re-established a school-based mental health program to help schools meet the growing need of serving children with serious emotional disturbance. The CSCT is a comprehensive planned course of treatment provided by Community Mental Health Centers in school and community settings. The CSCT services include: behavioral intervention, crisis intervention, treatment plan coordination, aftercare coordination and individual, group, and family therapy. Individualized treatment plans tailored to the needs of each student are developed by licensed mental health professionals in coordination with school staff.

Serious behavioral problems can significantly interfere with a student's education and the education of others. Community Mental Health Centers working in close cooperation with public school districts increase the likelihood that education and mental health programs are better coordinated. Because mental health professionals are present throughout the school day, they are available to intervene and redirect inappropriate behaviors and to teach appropriate behaviors and social skills at each opportunity. This "real-time" intervention in the "natural setting" promises to have a

major impact on improving the effectiveness of children's mental health services and the quality of the educational environment for all children.

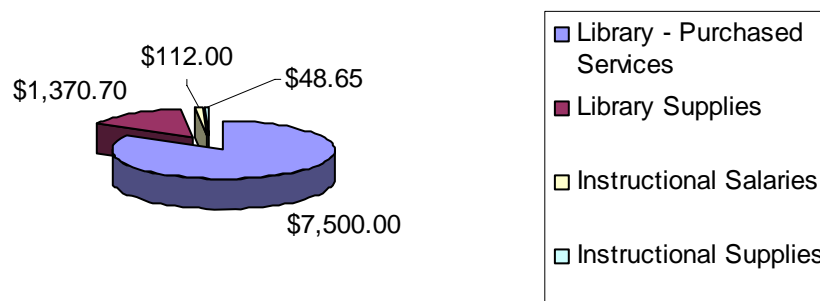
In FY '06 1,448 children received CSCT services from 114 teams of therapists located in approximately 106 schools. (Source for data: DPHHS, Health Resources Division)

Nearly all Medicaid reimbursements to districts for CSCT services are directly paid under contract to Community Mental Health Centers. Districts spend their Medicaid reimbursement from administrative claiming and fee-for-service on a wide variety of educational services.

**Expenditures of Medicaid Reimbursements
District F
FY 2006
Total Expenditures: \$7,358.29**



**Expenditures of Medicaid Reimbursements
District G
FY 2006
Total Expenditures: \$9,031.35**



Source: MAEFAIRS Expenditure Data

Medicaid payments are reimbursement for services already provided. District F and District G were selected for purposes of illustration of the variability between districts in how they spend their Medicaid revenue and are not necessarily typical of other districts. In District F, all Medicaid revenue was spent on providing special education services in the form of salaries and instructional materials. In District G, all Medicaid revenue was spent on general education. The flexibility in how Medicaid money is spent allows

districts to choose whether the funds are used to reduce special education expenditures from the districts general fund or used to purchase general education services or materials to partially compensate for "local district" general fund expenditures for special education.

Part 3 - Accountability

Montana's State Performance Plan

Montana's State Performance Plan (SPP) evaluates the state's efforts to implement the requirements and purposes of Part B of the Individuals with Disabilities Education Act (IDEA) and describes how the state will improve outcomes for students with disabilities. It is the foundation of the state's special education accountability system. There are 20 performance indicators established by the U. S. Department of Education that the SPP addresses, along with a six-year timeline (FFY 2005 through FFY 2010) of measurable and rigorous targets and improvement activities for each indicator. New indicators are addressed in future terms. Through stakeholder involvement, Montana has set rigorous and statistically sound standards for its targets in the SPP. The SPP was submitted to the U.S. Secretary of Education on December 1, 2005. In 2006, the SPP was revised to include required information for those indicators described as new by the Office of Special Education Programs (OSEP). To view the SPP in its entirety, go to: <http://www.opi.mt.gov/pdf/speced/SPPFINALDec12005.pdf>

The OPI submitted its revised State Performance Plan and the Annual Performance Report (APR) in February 2007. The Annual Performance Report for state fiscal year 2006 addresses the progress the state has made in meeting its SPP targets for 12 of the required 20 performance indicators. The SPP and APR can be found on the OPI Web page at: http://www.opi.mt.gov/PDF/SpecED/SPPFFY2005_10.pdf and <http://www.opi.mt.gov/PDF/SpecED/07APRSAPR.pdf>.

At this time, Montana does not have an electronic state student information system (SIS) which collects student demographic data in such a manner to ensure the data collection process is valid and reliable. However, the OPI is in the process of working with a vendor in the development of a student information system, data warehouse and special education records and information management system (SERIMS). It is anticipated that this system will be fully operational in the 2008-2009 school year. When in place, the system will allow the OPI to collect student-level data, thereby increasing the reliability, consistency, and validity of longitudinal analysis. The OPI will review performance data with the Special Education Advisory Panel to determine if there is need to re-establish a baseline for those performance indicators that rely on data for establishing targets, if appropriate. The name for the new student information system is Achievement in Montana (AIM).

Following is a brief summary of revisions and updates to each of the 20 federal indicators based on a revised SPP and APR that were submitted in February 2007.

Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the state graduating with a regular diploma.

Currently, Montana conducts two separate graduate data collections - one specifically for students with disabilities and the other is a non-disaggregated count of all students. Montana has adopted the National Center for Education Statistics cohort method as a

practical way to calculate a completion rate. The calculation uses four years of graduate and dropout data to calculate the rate.

The SPP has been amended to add 2004-05 graduation data as the baseline data. This data was not available when the SPP was originally submitted. The table below shows trendline data including the 2004-05 baseline data.

Montana Graduation Rate Comparison by School Year

School Year	Graduate Count for General Education ¹	Completion Rates for General Education	Graduate Cnt for Special Education ²	Completion Rates for Special Education
2001-2002	10554	84.1%	765	73.5%
2002-2003	10657	84.7%	769	71.5%
2003-2004	10500	84.2%	811	69.9%
2004-2005	10335	85.9%	944	74.0%

¹General education graduate counts are reported on October 1st annually through the OPI Annual Data Collection. This count includes students with disabilities and can not be disaggregated.

²Special education graduate counts are reported on June 30th annually as part of the end of year special education data collection.

The data indicates a steady decline of approximately 1.7 percent per year in the graduation rate of students with disabilities with a significant spike at the end of the fourth year. Although the FFY 2004 data suggest an increase in the graduation rate of students with disabilities, the trend-line data suggests that 2004-2005 data is more likely to be an anomaly and Montana will face a significant challenge in turning the trend around and showing continuous improvement. Therefore, stakeholders have indicated that it is reasonable to expect that, for the near term, a downward trend should be expected and caution be used when using 2004-05 data as baseline because this is very likely a one-year spike and, therefore, an anomaly. This is not unlikely in a state with a small student population.

Montana Performance Target Status for 2005-06 School Year

School Year	Graduate Count for Special Education	Completion Rates for Special Education	Confidence Interval - High	Confidence Interval - Low	Spp Performance Target for FFY 2005	State Performance Status
2005-2006	871	70.2%	73.2%	67.1%	69.1%	Met Target

For the 2005-06 school year, the completion rate for students with disabilities is 70.2 percent and the established performance target is 69.1 percent. Given a sample size of a minimum N of 10, the state has met its performance target of 69.1 percent, within a 95 percent confidence interval.

In accordance with recommendations from the Special Education Advisory Panel, performance targets were modified based on analysis of the 2004-05 data. No revisions were made to improvement activities.

Indicator 2: Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the state dropping out of high school.

Currently, Montana conducts two separate dropout data collections. One collection is for students with disabilities and the other data collection is for all students (general education) and includes students with disabilities. The following describes both data collection processes, definitions applied to determine dropouts, and formulas for calculating dropout rates.

The SPP has been amended to add 2004-05 dropout data as the baseline data. This data was not available when the SPP was originally submitted. The table below shows trend-line data including the 2004-05 baseline data.

Montana Dropout Rate Comparison by School Year

School Year	General Education Dropout Count, Grades 7-12 ¹	General Education Enrollment, Grades 7-12 ²	General Education Dropout Rate ³	Special Education Dropout Count, Ages 14-21 ⁴	Special Education Child Count, Ages 14-21 ⁵	Special Education Dropout Rate ⁶
2001-2002	2022	73797	2.7%	321	6159	5.2%
2002-2003	1872	73536	2.5%	325	6294	5.2%
2003-2004	1737	72736	2.4%	332	6341	5.2%
2004-2005	1665	72249	2.3%	455	6484	7.0%

¹General Education Dropout Count, grades 7-12, includes student with disabilities and can not be disaggregated. The count is taken on October 1st annually as part of OPI's Annual Data Collection.

²General Education Enrollment includes all students enrolled, grades 7-12. This includes students with disabilities and can not be disaggregated. Enrollment is reported on October 1st each year.

³General Education dropout rate formula: Total number of general education dropouts divided by the number of students enrolled in grades 7-12.

⁴Special Education Dropout Count, ages 14-21, are reported on June 30th annually as part of OPI's Special Education Exiting Data Collection.

⁵Special Education Child Count includes students with disabilities, ages 14-21, as reported on the December 1st child count.

⁶Special Education dropout rate formula: Total number of special education dropouts divided by the number of students reported on the December 1st child count, ages 14-21.

Trend-line data suggests the special education dropout rate was relatively stable for a three-year period then had a significant spike in 2004-2005. It is strongly felt that the spike shown in 2004-2005 is an anomaly. Extensive analysis was conducted to determine what could be the cause. It was noted that there was a 14 percent increase in the overall exiting count between 2003-2004 and 2004-2005. In a state such as Montana, with a relatively small population of students with disabilities, there is a high probability of significant variations in the data from year to year.

The dropout rates for the general student population have remained consistent over the last five years, while the dropout rates for students with disabilities indicate a sharp increase for 2004-05 school year, then dropping back to a rate consistent with previous years. A change in existing categories for reporting students with disabilities exiting special education suggests that this may be the cause of the increase in the number of students with disabilities reported as dropping out for the 2004-05 school year.

Montana's Performance Target Status for FFY 2005

School Year	Dropout Cnt for Special Education	Dropout Rates for Special Education	Confidence Interval - High	Confidence Interval - Low	Spp Performance Target	State Performance Status
2005-2006	383	5.9%	8.8%	4.0%	5.8%	Met Target

Given a sample size of a minimum N of 10, the state has met its performance target, within a 95 percent confidence interval for the 2005-06 school year.

In accordance with recommendations from the Special Education Advisory Panel, performance targets were modified based on analysis of the 2004-05 data. No revisions were made to improvement activities.

Indicator 3: Participation and performance of children with disabilities on statewide assessments.

This indicator requires the state to provide the percent of districts meeting the state's Adequate Yearly Progress (AYP) objectives for progress for disability subgroups. It also requires that participation rates and proficiency rates are addressed for all children with IEPs.

The state's method of calculating AYP includes the use of a minimum number (N) of 40 (to accommodate the high proportion of small school districts) and multiple other measures such as the quality of a district's Five-Year Comprehensive Plan. This is known as the All Schools Accountability Process (ASAP) and involves the use of multiple weighted factors in the calculation. It is likely that once Montana is able to track students through the AIM, consideration will be given to implementing a "growth model" for NCLB of accountability. A "growth model" uses longitudinal measures of each student's academic progress.

For the 2005-2006 school year, Montana received approval for its revised accountability process including the calculation methodology for determining districts and schools meeting AYP and the addition of grades 3, 5, 6, and 7 to its statewide assessment. These revisions included establishing new cut points for determinations of Novice, Nearing Proficient, Proficient, and Advanced. Additionally, the revisions included establishing new thresholds for the Annual Measurable Objective (AMO) used in determining AYP for schools in the calculated process and the small schools process. Due to the revisions of Montana's Accountability process, it is necessary to establish a new baseline and targets for this indicator. Revised baseline data is below.

Districts Meeting AYP for Disability Subgroup for the 2005-2006 School Year

AYP Objectives	Overall (across Content Areas)	
	#	%
Districts with a disability subgroup meeting Montana's minimum N size	53	
Districts meeting Montana's AYP objectives for progress for students with IEPs	21	39.6%

**Participation Rates of Students with IEPs in Montana Statewide Assessments for All Grades Assessed
for the 2005-2006 School Year**

Participation	Math		Reading		Overall (across Content Areas) ³	
	#	%	#	%	#	%
(a) Number in grades assessed	9753		9753		19506	
(b) Regular assessment (CRT) with no accommodations	3284	33.7%	3193	32.7%		
(c) Regular assessment (CRT) with accommodations ¹	5738	58.8%	5838	59.9%		
(d) Alternate assessment against grade level achievement standards ²	0	0.0%	0	0.0%		
(e) Alternate assessment (CRT-Alt) against alternate achievement standards	625	6.4%	626	6.4%		
Overall rate of participation in statewide assessment for students with IEPs	9647	98.9%	9657	99.0%	19304	99.0%
Source: Montana Statewide Assessment data and ADC Enrollment data.						
¹ Regular assessment with accommodations include all students who participated with accommodations (both standard and nonstandard).						
² Montana does not use an alternate assessment scored against grade level achievement standards at this time.						
³ Overall Participation Rates is equal to the number of student tests scored proficient or aboe in Math and Reading divided by the total number of tests taken in Math and Reading.						

**Proficiency of Students with IEPs on Montana Statewide Assessments for All Grades Assessed
for the 2005-2006 School Year**

Proficiency	Math		Reading		Overall (across Content Areas) ³	
	#	%	#	%	#	%
(a) Number in grades assessed	9753		9753		19506	
(b) Proficient or above in regular assessment (CRT) with no accommodations	1091	11.2%	1670	17.1%		
(c) Proficient or above in regular assessment (CRT) with accommodations ¹	975	10.0%	1640	16.8%		
(d) Proficient or above in alternate assessment against grade level standards ²	0	0.0%	0	0.0%		
(e) Proficient or above in alternate assessment (CRT-Alt) against alternate achievement standards	390	4.0%	478	4.9%		
Overall rate of proficiency or above for students with IEPs	2456	25.2%	3788	38.8%	6244	32.0%
Source: Montana Statewide Assessment data and ADC Enrollment data.						
¹ Regular assessment with accommodations include all students who participated with accommodations (both standard and nonstandard).						
² Montana does not use an alternate assessment scored against grade level achievement standards at this time.						
³ Overall Performance Rates is equal to the number of student tests scored proficient or aboe in Math and Reading divided by the total number of tests taken in Math and Reading.						

Beginning with the 2006-07 school year, the targets for schools meeting AYP objectives and proficiency rates of students with disabilities in Montana's statewide assessments have been revised using 2005-06 school year data as the baseline. Because of the recalibration of cut scores and the need to establish new thresholds for calculating the AMO, trend-line data cannot be relied on to establish targets for ensuing years. In the absence of trend-line data, the assumption for AYP is that for the first two years, the percent of districts that have a disability subgroup that meets a minimum N of 40 meeting the state's AYP objectives will remain the same as the baseline. For the next three years, we anticipate that intervention strategies addressing this performance indicator will begin producing results and we will begin to see improved performance. The assumption for Indicator proficiency rates is that for the first three years, the percentage of students tested to be proficient or above will remain the same as the baseline data. For the next three years, we anticipate that intervention strategies addressing this performance indicator will produce results and we anticipate improved performance.

Participation rates for students with disabilities are still aligned with the established performance targets and no revisions were made.

Indicator 4: Rates of suspension and expulsion.

This indicator requires the state to provide the percent of school districts that are identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year. A new component of this indicator requires the state to provide the same data by race and ethnicity.

Long-term suspension or expulsion is defined as a suspension or expulsion that results in the removal of a student, out of school, for greater than 10 school days or a student with multiple short-term out-of-school suspensions or expulsions (10 school days or less) that sum to greater than 10 school days during the school year.

The table below provides a new data component of this indicator as required. It presents a comparison of long-term suspension and expulsion rates by race/ethnicity categories between students with disabilities and nondisabled students for the 2005-2006 school year.

Long-Term Suspension and Expulsion Rates by Race/Ethnicity for the 2005-2006 School Year

Race/Ethnicity	Number of Special Education Students with Long-term Suspension or Expulsion¹	Special Education Long-term Suspension or Expulsion Rates	Number of Regular Education Students with Long-term Suspension or Expulsion²	Regular Education Long-term Suspension and Expulsion Rates
American Indian/Alaskan Native	49	1.9%	159	1.0%
Asian or Pacific Islander	0	0.0%	1	0.1%
Black or African American	1	0.5%	3	0.2%
Hispanic or Latino	3	0.6%	8	0.2%
White, Non-Hispanic	42	0.3%	201	0.2%

¹Count of students with disabilities who qualify for services under IDEA, with multiple short-term suspensions or expulsions (10 days or less) that sum to greater than 10 days during the school year or suspended or expelled once for greater than 10 days during the school year.

²Count of nondisabled students with multiple short-term suspensions or expulsions (10 days or less) that sum to greater than 10 days during the school year or suspended or expelled once for greater than 10 days during the school year.

The long-term suspension/expulsion counts for both special education and regular education for LEAs in Montana are extremely small and this is particularly so for racial/ethnic and disability subgroups, especially in small rural schools. Therefore, there is often too small of a sample size to obtain precise and reliable results. Recognizing the problem with validity of small sample sizes, the OPI will use multiple methods in its determination of significant discrepancy in long-term suspension/expulsion rates for students with disabilities by racial/ethnic categories.

Montana's Performance Target Status for FFY 2005

School Year	Number of LEAs	Number of LEAs reporting long-term suspensions and/or expulsions	Number of LEAs reporting long-term suspension and/or expulsions for students with disabilities	Percent of LEAs reporting long-term suspension and/or expulsions for students with disabilities	Percent of LEAs identified with significant discrepancy	Spp Performance Target	State Performance Status
2005-2006	436	104	48	11.0%	0%	0.0%	Met Target

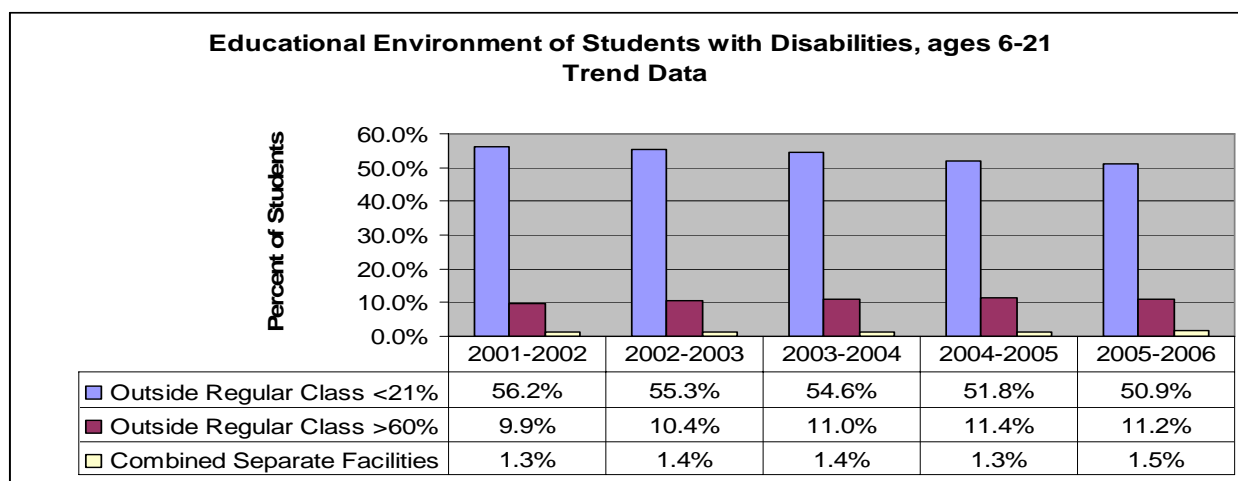
For FFY 2005, 0 percent of the LEAs were identified as having significant discrepancy in the long-term rates of suspensions and expulsions for students with disabilities when compared to the long-term suspension and expulsion rates of nondisabled students. Given a sample size of a minimum N of 10, the state has met its performance target of 0 percent, within a 95 percent confidence interval.

Indicator 5: Percent of children with IEPs, aged 6 through 21, in less restrictive and more restrictive educational environments.

This indicator addresses students with disabilities who receive services in three different settings:

- those removed from the regular class less than 21 percent of the day;
- those removed for greater than 60 percent of the day; and
- those served in public or private separate schools, residential placements, or homebound or hospital placements.

Montana's Educational Placement Trend Data for Students with Disabilities, ages 6-21



Trend data indicate a 1.3 percent average annual decrease over the last four years in the percentage of students removed from regular class less than 21 percent of the day, and a .3 percent average annual increase over the last four years in the percentage of students educated outside the regular classroom for more than 60 percent of the day.

Montana's Performance Target Status for FFY 2005

Spp Indicator Number	Education Environment	Special Education Educational Placement Count	Special Education Educational Placement Percent	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	Spp Performance Target	State Performance Status
Indicator 5A	Removed from Reg Class < 21% of day	8785	50.9%	52.0%	49.9%	50.0%	Met Target
Indicator 5B	Removed from Reg Class >60% of day	1928	11.2%	12.7%	9.8%	12.0%	Met Target
Indicator 5C	Combined Separate Facilities	266	1.5%	3.9%	0.6%	1.8%	Met Target

The data presented in the table above is used to assess the state's progress in meetings its performance target for FFY 2005. The state set a target, based on a minimum N of 10, of 50 percent of students with disabilities removed from regular class

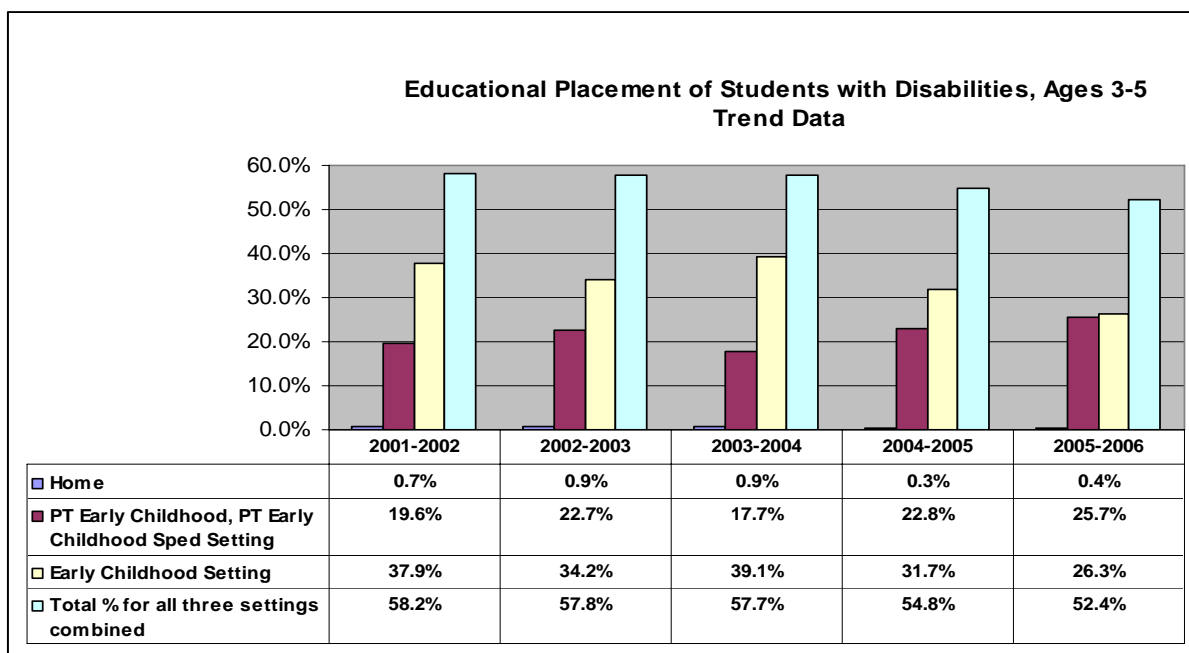
less than 21 percent of the day, 12 percent of students with disabilities removed from regular class for more than 60 percent of the day, and 1.8 percent of students with disabilities served in public or private separate facilities, within a 95 percent confidence interval. The state met its targets in all areas.

Indicator 6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers.

Parents of preschool-age children with disabilities face widely differing choices when selecting special education settings, often driven by location and suitability. Not all communities offer the same array of choices, especially in rural areas. Few, if any, public school districts offer general education preschool, but all offer FAPE.

Early Childhood Special Education settings are most likely settings for children, ages 3 and 4, while Early Childhood settings are more likely for 5 year olds. This difference is due to the availability of Kindergarten for 5 year olds in contrast to the absence of regular education alternatives for younger children.

Montana's Educational Placement Trend Data for Students with Disabilities, Ages 3-5



Trend data show that the percentage of students with disabilities, ages 3-5, who receive special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings) has declined slightly. The overall percentage of the three setting categories varied between years, but ranged from 58.2 percent in FFY 2001 to 52.4 percent in FFY 2005. Further, year-to-year variations in the percentages of students with disabilities, ages 3-5, are evident within each setting.

Montana's Performance Target Status for 2005-06 School Year

Spp Indicator Number	Education Environment ¹	Special Education Educational Placement Count	Special Education Educational Placement Percent	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	Spp Performance Target	State Performance Status
Indicator 6	Education Environment, Ages 3-5	1008	52.4%	55.4%	49.3%	54.8%	Met Target
1Education Environment includes the following settings with typically developing peers: Early Childhood Setting, Part-time Early Childhood/Part-time Early Childhood Special Education Setting and home.							

The data indicate 52.4 percent of students with disabilities, ages 3-5, received special education and related services in settings with typically developing peers for the 2005-2006 school year. In comparing the established performance target to the range of values in the confidence interval, the performance target falls within the upper and lower limits of the confidence interval. We can conclude that there is no statistical difference between the special education educational placement percent and the established performance target. Therefore, given a sample size of a minimum N of 10, the state has met its performance target for this indicator, within a 95 percent confidence interval.

Indicator 7 (New Indicator): Percent of preschool children with IEPs who demonstrate improved positive social-emotional skills, acquisition and use of knowledge and skills (including early language/communication and early literacy), and use of appropriate behaviors to meet their needs.

The OPI implemented data collection and reporting procedures during the spring of 2006 to collect entry data for this performance indicator. Entry data were collected for the first time on all children, ages 3, 4, 5 and some 6 year olds, between March 1 and December 1, 2006. Baseline data, targets and improvement activities will be reported in the February 2008 Annual Performance Report and included as revisions to the State Performance Plan.

Numbers of preschool-age children with disabilities reporting performance data March 1 – November 30, 2006

		Initial Number of IEPs	Annual Number of IEPs	Total Number of IEPs	No Data Reported	Response Rate
Three Year-Olds		301	23	324	36	90%
Four Year-Olds		319	256	575	94	86%
Five Year-Olds		281	440	721	191	79%
Total		901	719	1620	321	83%

Percentages of children with an INITIAL IEP rated as functioning comparable to same-age peers or not (N=901).

	% comparable to same-aged peers		% NOT comparable to same-aged peers	
	N	%	N	%
Positive social-emotional skills including social relationships	525	58.3%	376	41.7%
Acquisition and use of knowledge and skills, including early language/ communication and early literacy	101	11.2%	800	88.8%
Use of appropriate behaviors to meet individual needs	576	63.9%	325	36.1%

Percentages of children with an ANNUAL IEP rated as having reached or maintained a level comparable to same-aged peers, improved, but not to a level comparable to same-aged peers, or not improved. (N=719).

	% Reached or maintained a level comparable to same-aged peers		% Improved, but not to a level comparable to same-aged peers		% who did not improve	
	N	%	N	%	N	%
Positive social-emotional skills including social relationships	276	38.4%	418	58.1%	25	3.5%
Acquisition and use of knowledge and skills, including early language/ communication and early literacy	51	7.1%	642	89.3%	26	3.6%
Use of appropriate behaviors to meet individual needs	320	44.5%	375	52.2%	24	3.3%

The OPI will continue to work with the contractor for SERIMS to ensure the system includes all data reporting requirements.

Indicator 8 (New Indicator): Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

In September 2006, for those LEAs who were to be monitored in the 2006-07 school year, all parents of students ages 3-21 receiving special education services during the

2005-06 school year were asked to complete and then mail a survey to Mountain Plains Regional Resource Center (the agency the OPI contracted with to conduct the survey). Parents were assured of anonymity. A total of 3,355 surveys were mailed and 540 were returned for a response rate of 16.1 percent.

Because of the low response rate, a random sample of 50 parents were called and asked five key questions from the Parent Survey. An analysis of the phone responses suggests that the results based on the mail respondents are representative of all parents of students with disabilities.

The data were extensively analyzed and, with recommendations from the Montana Special Education Advisory Panel, it was determined that a 60 percent cut score (representative of a parent who, on average, agrees with each item) represented the most appropriate cut score.

The first year of data collection indicates that the majority of parents believe that the LEAs facilitate their involvement; 65.5 percent of parents state that their child's school facilitated their involvement.

Performance targets were established based on the recommendation and advice of the Special Education Advisory Panel. The Panel felt strongly that it would be difficult to move parents from a category of agree to "strongly agree."

Indicator 9 (New Indicator): Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the *result of inappropriate identification*.

Disproportionate representation is defined as an identification rate that is a statistically significant difference and exists as a result of inappropriate identification practices or procedures, and/or lack of early intervening services and cannot be attributed to unique circumstances (e.g., private school, group home, specialized facilities) which are an underlying factor of the representation.

Beginning with the school year 2005-06, the OPI implemented a procedure of multiple measures to determine whether a school district has disproportionate representation based on inappropriate identification will be reported in the revised State Performance Plan.

Indicator 10 (New Indicator): Percent of districts with disproportionate representation of racial and ethnic groups *in specific disability categories* that is the result of inappropriate identification.

When a school district is identified as having disproportionate representation through a statistical screening process, the procedures for further investigation and analysis are the same as reported under Indicator 9. Baseline data was collected during 2005-06 school year and will be reported in the revised State performance Plan.

Indicator 11 (New Indicator): Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or state-established timeline).

Baseline data was collected during the 2005-06 monitoring cycle and will be reported in the revised State Performance Plan.

Improvement Activities: The OPI will incorporate these new data collection components in its AIM system and continue to provide technical assistance for school personnel on timeline requirements.

Indicator 12: Percent of children referred by Part C, prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

The OPI addresses Early Childhood Transition through an interagency agreement with the Part C lead agency. Training and technical assistance are provided at the local level by both the OPI and the Part C lead agency. Both agencies work with Parents, Let's Unite for Kids (PLUK) to inform and support parents and families experiencing transitions from one program to the other. Additional oversight is accomplished through complaints and due process management system and OPI compliance monitoring.

Number and Percentage of Infants and Toddlers Moving out of Part C

Number and Percentage of Infants and Toddlers July 1, 2003 - June 30, 2004				
Part B Eligible	Not Eligible for Part B, Exit to Other Programs	Not Eligible for Part B, Exit With No Referrals	Part B Eligibility Not Determined	TOTAL
180	43	12	52	287
63%	15%	4%	18%	

Of the 287 children referred by Part C to the Part B program, 63 percent were determined to be eligible for Part B services. Review of data for 2003-04 and 2004-05 reveals no issues arising in this area through compliance monitoring or the complaint/due process management system.

Improvement Activities: The OPI is incorporating this new data element into the AIM system; continues to provide technical assistance and training for school personnel on effective child find practices and transitions from Part C to Part B; and continues to work with the Part C lead agency to collect necessary data.

Indicator 13 (New Indicator): Percent of youth, aged 16 and above, with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet post-secondary goals.

The OPI collected baseline data as a part of its compliance monitoring procedures during the 2005-2006 school year and the data will be reported in the revised State Performance Plan.

Improvement Activities: The OPI continues to provide technical assistance and professional development to school districts on transition requirements and IEP development; work with other state agencies to engage their involvement in transition planning; work with institutions of higher education to ensure students receive information and training related to transition requirements; and ensure this data requirement is incorporated into the AIM system.

Indicator 14 (New Indicator): Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school.

Post-school outcome data will be directly reported by school districts through tracking youth who had IEPs and are no longer in secondary school in spring of 2007. Baseline will be reported in the State Performance Plan in February 2008.

Improvement Activities: The OPI is revising its current electronic exiting data collection to include post-school outcomes data and ensure this data requirement is incorporated in the AIM system.

Indicator 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible, but in no case later than one year from identification.

The OPI has a comprehensive system of general supervision that includes a review of IDEA Part B applicants' policies and procedures to ensure consistency with IDEA Part B requirements. It also includes procedures for formal complaints and due process hearings and mediation, an Early Assistance Program (EAP) to resolve issues prior to their becoming formal complaints or going to due process. It provides a compliance monitoring process based on a five-year cycle, and a focused intervention system based on selected performance indicators.

Each component of the general supervision system includes procedures for tracking data to ensure requirements and timelines are addressed in a timely manner. Analysis of data from the 2005-2006 school year shows that all timelines for due process hearings, mediations and formal complaints have been met 100 percent of the time.

Monitoring data for 2005-2006 is currently being analyzed and will be reported in the Annual Performance Report.

Improvement Activities: The OPI will revise its Focused Intervention activities to better align with State Performance Plan indicators; continue to ensure timelines are addressed; review the status of corrective action plans on a monthly basis; provide follow-up to school districts to ensure they are moving toward completion of corrective action plans; and implement sanctions, as appropriate, to ensure school districts complete required corrective action plans.

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

Only four complaints were received in 2005-2006. Of these, two were withdrawn. The remaining two met the required timeline.

Improvement Activities: The OPI will continue to work at reducing the number of complaints by providing timely technical assistance to districts and using part-time seasonal personnel to serve in a technical assistance capacity to resolve conflicts.

Indicator 17: Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

In 2005-2006 there were no fully adjudicated due process hearing requests.

Improvement Activities: The OPI will continue to provide annual training to hearing officers and track timelines for due process hearings to ensure compliance.

Indicator 18 (New Indicator): Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

Districts must convene the 30-day resolution session in a timely manner following the IDEA statute requirements and, if requested, the OPI may provide technical assistance. Baseline data was collected during the 2005-2006 school year and will be reported in the State Performance Plan.

Improvement Activities: The OPI will continue to respond to any requests from school districts for assistance in establishing procedures for successful resolution sessions.

Indicator 19: Percent of mediations held that resulted in mediation agreements.

Established procedures allow either party to request mediation. For mediation to proceed, both parties must agree to the mediation. No mediation requests were received by the OPI in the 2005-06 school year.

Improvement Activities: The OPI will continue to provide training to school districts, parents and parent advocacy groups about the mediation process and make trained mediators available to schools and parents at no cost when requested.

Indicator 20: State-reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

The OPI has consistently met designated timelines 100 percent of the time over the past five years. Data is reviewed and validation checks performed to ensure accuracy of the submitted data.

Improvement Activities: The OPI will continue to provide technical assistance for data submission and ensure that the AIM system includes all required data elements.